

ESTTA Tracking number: **ESTTA700178**

Filing date: **10/05/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91220335
Party	Defendant Luanis S.A.
Correspondence Address	JOHN L WELCH WOLF GREENFIELD & SACKS PC 600 ATLANTIC AVE BOSTON, MA 02210 UNITED STATES jlwtrademarks@wolfgreenfield.com
Submission	Other Motions/Papers
Filer's Name	John L. Welch
Filer's e-mail	jlwtrademarks@wolfgreenfield.com, mlerner@ssbb.com
Signature	/johnlwelch/
Date	10/05/2015
Attachments	JOINT MOTION TO CONSOLIDATE FOUR PROCEEDINGS.pdf(100036 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Charles B.H. James and Louise D.B. James,

Opposers,

v.

Luvanís S.A.,

Applicant.

Opposition No.
91216176

Charles B.H. James and Louise D.B. James,

Opposers,

v.

Luvanís S.A.,

Applicant.

Opposition No.
91220335

Charles B.H. James and Louise D.B. James,

Opposers,

v.

Luvanís S.A.,

Applicant.

Opposition No.
91220654

Charles B.H. James and Louise D.B. James,

Petitioners,

v.

Luvanis S.A.,

Respondent.

Cancellation No.
92060907

**JOINT MOTION TO CONSOLIDATE FOUR PROCEEDINGS
AND TO RE-SET DISCOVERY AND TRIAL DATES**

The parties to this proceeding, by their respective counsel, hereby move for an Order consolidating the four proceedings identified above, and re-setting the testimony and trial periods in the consolidated proceeding as follows:

Discovery Closes:	December 4, 2015
Plaintiffs' Pretrial Disclosures:	January 17, 2016
Plaintiffs' 30-day Trial Period Ends:	March 2, 2016
Defendant's Pretrial Disclosures	March 17, 2016
Defendant's 30-day Trial Period Ends:	May 2, 2016
Plaintiffs' Rebuttal Disclosure:	May 17, 2016
Plaintiffs' 15-day Rebuttal Period Ends:	June 16, 2016

The grounds for this motion are as follows:

The four identified proceedings involve the same parties and the same mark: namely, CHARLES JAMES. Each proceeding includes a claim by Plaintiffs that Defendant should be denied registration of the mark CHARLES JAMES under Section 2(a) of the Trademark Act

because the mark purportedly creates a false association with Plaintiffs' alleged rights in the name CHARLES JAMES. Thus there is a broad overlap between and among the four cases.

The granting of this joint motion would allow Defendant Luanis to complete its discovery, and all four cases would move together toward a single resolution, saving the Board and the parties the unnecessary time and expense that separate proceedings would entail.

Counsel for the parties have conferred in order to set a mutually-acceptable schedule for the parties and their counsel.

The undersigned confirm that this joint motion is submitted in good faith and not for purposes of delay.

Charles B.H. James and
Louise D.B. James

Luanis S.A.



Mark Lerner
Satterlee Stephens Burke & Burke LLP
230 Park Avenue
New York, NY 10169
212-818-9200

Date: October 5, 2015



John L. Welch.
Wolf Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
617.646.8000

Date: 10/5/15